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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LEVELS NETWORK, INC., a Delaware corporation; and AW BETEILIGUNGS GMBH, a limited liability company organized under the laws of Germany,

Plaintiffs,

vs.

JONAS FREY, an individual,

Defendant.

Case Number:
2:21-CV-01796-RFB-BNW

**STIPULATION AND ORDER TO SET
BRIEFING SCHEDULE AND ALLOW
A SUPPLEMENTAL BRIEFING ON
THE PENDING MOTION FOR ENTRY
OF PRELIMINARY INJUNCTIVE
RELIEF PURSUANT TO FED. R. CIV.
P. 65 AND LR IA 7-2
[ECF NO. 8]**

(First Request)

Pursuant to LR IA 6-1 and 6-2 and LR II 7-2(g), Plaintiffs Levels Network, Inc. and AW Beteiligungs GMBH (collectively "Plaintiffs"), by and through their counsel of record, Kevin Murphy, Esq. (phv) of Wuersch & Gering LLP, and Brian W. Boschee and James D. Boyle, of Holley Driggs and Defendant Jonas Frey, by and through his counsel of record, Brian R. Hardy, Esq. and Susan E. Gillespie, Esq., of Marquis Aurbach Coffing, hereby stipulate and agree to allow for supplemental briefing in response to Plaintiffs' Reply in Support of Motion for Entry of Preliminary Injunctive Relief Pursuant to Fed. R. Civ. P. 65 and LR IA 7-2. [ECF No. 34] (the "Reply Brief"). This Stipulation is being entered in good faith and not for purposes of delay. This is the parties first request for additional briefing.

During the Parties' meet and confer teleconference on November 16, 2021, the Parties discussed the need, for the benefit and edification of the Court, to submit supplemental

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1 briefing on specific issues raised in the Reply Brief. Counsel for both Parties agree that such
2 supplemental briefing will provide this Court with additional factual and legal context to said
3 issues, and good cause therefore exists pursuant to LR II 7-2(g) for this Court to grant the
4 Parties to submit supplemental briefing as set forth below.

5 1. On September 29, 2021, Plaintiffs filed their Motion for Preliminary
6 Injunction. ECF No. 8.

7 2. On October 7, 2021, Defendant was served with the Complaint.

8 3. On October 20, 2021, the Court issued a minute order that ordered Defendant
9 to respond to the Motion for Preliminary Injunction on or before October 21, 2021 and
10 Plaintiffs to file their reply on or before October 28, 2021. ECF No. 18.

11 4. On October 21, 2021, the parties stipulated and the Court granted an extension
12 to the briefing schedule set by the Court in order to continue with good faith discussions to
13 reach a resolution of the issues raised in the Motion for Preliminary Injunction, and potentially
14 in the case overall. ECF No. 21.

15 5. On October 28, 2021, the parties stipulated a second time and the Court again
16 granted an extension to the briefing schedule set by the Court in order to continue with good
17 faith discussions to reach a resolution of the issues raised in the Motion for Preliminary
18 Injunction, and potentially in the case overall. ECF No. 24.

19 6. On November 2, 2021, Defendant filed his Opposition to Plaintiffs' Motion for
20 Preliminary Injunction. ECF No. 32.

21 7. On November 9, 2021, Plaintiffs filed their Reply in Support of Plaintiffs'
22 Motion for Preliminary Injunction ("Plaintiffs' Reply"). ECF No. 34.

23 8. On November 16, 2021, the parties held a meet and confer to discuss the
24 arguments and new request for alternative relief in Plaintiffs' Reply. The parties agreed
25 additional briefing was warranted based upon Plaintiffs' request for alternative relief in
26 Plaintiffs' Reply.

27

9. The parties hereby agree that Defendant may file a Supplemental Opposition in response to the newly raised alternative relief in Plaintiffs' Reply. Defendant's Supplemental Opposition will be due on or before November 29, 2021.

10. The parties hereby agree that Plaintiffs may file a Supplemental Reply in response to Defendant's Supplemental Opposition. Plaintiffs' Supplemental Reply will be due on or before December 10, 2021.

IT IS SO STIPULATED.

Dated this 17th day of November, 2021.

HOLLEY DRIGGS

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Dated this 17th day of November, 2021.

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ORDER

IT IS SO ORDERED this 17th day of November, 2021.



RICHARD E. BOULWARE, II
United States District Court